

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

GEORGE RODRIGUEZ,	§	
	§	
Plaintiff,	§	
	§	C.A. No. 06-2650
v.	§	JURY TRIAL DEMANDED
	§	
CITY OF HOUSTON, <i>et al.</i> ,	§	
	§	
Defendants.	§	

**Order Granting Plaintiff's Motion for  
Attorney's Fees and Expenses Under 42 U.S.C. § 1988**

The Court has considered Plaintiff's Motion for Attorney's Fees and Expenses Under 42 U.S.C. § 1988.

The Court finds that the lodestar proposed by Plaintiff's counsel is reasonable in light of the factors enunciated in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 717–19 (5th Cir. 1974). In particular, the Court finds that the number of hours included in Plaintiff's fee request is reasonable given the time and labor required, and the novelty and difficulty of the issues presented by this case.

The Court further finds that Plaintiff's proposed hourly rates are reasonable because this case required exceptional skill, and Plaintiff's counsel possessed the experience, reputation, and ability that were required to obtain the degree of success obtained in this case. The hourly rates proposed by Plaintiff are also reasonable in light of the preclusion of other employment by the attorney due to the acceptance of the case, the contingent nature of counsel's representation of Plaintiff, the extraordinary result obtained in this case, the "undesirability" of the case, and

awards in other complex federal litigation within this District, as well as awards in wrongful conviction cases outside of this District.

The Court further finds that the out-of-pocket expenses for which Plaintiff seeks reimbursement are the type of expenses that are customarily charged to fee-paying clients in this District, and were expenses reasonably incurred in this case.

Accordingly, Plaintiff's Motion is GRANTED.

It is hereby ORDERED that Plaintiff is awarded, pursuant to 42 U.S.C. § 1988, a reasonable attorney's fee in the amount of \$4,689,303.77, comprised of \$4,384,920.00 as compensation for legal services rendered by counsel in this case, and \$304,383.77 in out-of-pocket expenses incurred by counsel in this case. The fee award shall bear interest at the statutory rate.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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Vanessa Gilmore  
United States District Judge